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The Honorable Senator Mark Udall
317 Hart Senate Office Building
Washington, DC 20510

The Honorable Senator Michael Bennet
702 Hart Senate Office Building
Washington, DC 20510

Dear Senator Udall and Senator Bennet,

It is anticipated that the Senate will likely vote in the coming weeks on the confirmation of President Obama's Supreme Court Nominee Sonia Sotomayor to the position of Associate Justice. I urge you to oppose her nomination because of concerns regarding her judicial record, which clearly indicates her judicial philosophy is fundamentally unsound.

The United States Constitution guarantees everyone equal justice under the law, regardless of the personal opinions of judges. Judicial opinions must be separated from political beliefs, and Judge Sotomayor has expressed on many occasions the belief that judges cannot be independent and must rely on personal experience to make rulings. This is a disturbing judicial philosophy. Her references to relying on "empathy" in deciding cases reveals a subjective element to her jurisprudence. It is imperative to the soundness of our justice system for our judges to impartially interpret the law, regardless of history, lineage, ethnicity, gender, race, or religion.

I am also very concerned that she has indicated she is sympathetic to the use of foreign law to shape and interpret court decisions before her. The Constitution is the supreme law of the land and our judges are bound by it. However, when foreign law is referenced, cited, and used to prop up judicial decisions, our Constitution is no longer the supreme law of the land. As recently as April, Judge Sotomayor stated "international law and foreign law will be very important in the discussion of how to think about the unsettled issues in our own legal system." To even hint at the use of foreign law is troubling because there is no Constitutional authorization for such interpretation. It ignores American sovereignty.

Law should be interpreted on the basis of the United States Constitution. We need to ensure that American judges do not look to foreign law to advance their political agendas. Moreover, Judge Sotomayor has said, "unless American courts are more open to discussing the ideas raised by foreign cases, and by international cases, we are going to lose influence in the world." It is not the proper role for a Supreme Court justice to be distracted by and concerned with how international community views our nation. Matters of diplomacy are conducted by an elected executive with elected legislative oversight.

In light of her judicial philosophy, I am gravely concerned and therefore respectfully urge you to oppose her nomination when it comes to the floor for a vote.

Sincerely,


Doug Lamborn
Member of Congress